

U.S. DISTRICT COURT  
W.D.N.Y. BUFFALO

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

2005 JUL -1 AM 9:11

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WALTER KING, 90T5480,

Plaintiff,

05-CV-6181Fe

-v-

MEMORANDUM and ORDER

GLENN S. GOORD, Commissioner;  
JAMES BERBARY, Superintendent;  
FLOYD G. BENNETT, JR., Superintendent;  
MICHAEL P. MCGINNIS, Superintendent;  
EDWARD DONNELLY, Superintendent;  
WENDE CORRECTIONAL FACILITY MEDICAL  
DEPARTMENT; COLLINS CORRECTIONAL  
FACILITY MEDICAL DEPARTMENT;  
SOUTHPORT CORRECTIONAL FACILITY  
MEDICAL DEPARTMENT; and ELMIRA  
CORRECTIONAL FACILITY MEDICAL DEPARTMENT

Defendants.

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Plaintiff, who is incarcerated in the Collins Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

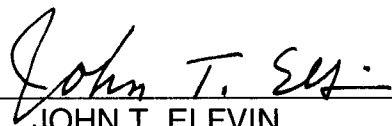
To the extent that plaintiff's claims relate to allegations of inadequate medical care during the last three years prior to filing the complaint, the only time period allowed by the statute of limitations, they may go forward at this stage.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

DATED: Buffalo, New York  
June 30, 2005

  
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JOHN T. ELFVIN  
UNITED STATES DISTRICT JUDGE